

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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FIVE STAR BANK,

*Plaintiff,*

KATHERINE MOTT; ROBERT HARRIS; KRM  
EVENTS, LLC; KATHERINE'S ON MONROE, LLC;  
THE DIVINITY ESTATE AND CHAPEL, LLC; KNC  
ELEGANCE, LLC D/B/A THE WINTERGARDEN BY  
MONROES; 11 WEXFORD GLEN, LLC; RCC  
MONROES LLC; NAF REMODELING LLC;  
MONROES AT RIDGEMONT LLC CRESCENT  
BEACH AT THE LAKE LLC; MOTT MANAGEMENT  
LLC; KRISTINA BOURNE; TAYLOR PAGANO;  
TIMOTHY LAROCCA,

*Defendants.*

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CASE NO. 6:24-CV-06153-FPG

**NOTICE OF MOTION FOR  
APPROVAL OF SECOND  
APPLICATION OF HARTER  
SECREST & EMERY LLP,  
COUNSEL TO THE RECEIVER,  
FOR ALLOWANCE OF  
COMPENSATION AND  
REIMBURSEMENT OF  
EXPENSES**

PLEASE TAKE NOTICE that, pursuant to this Court's Order (ECF Dkt. No. 57) appointing Harter Secrest & Emery LLP ("HSE") as counsel to the Court-appointed Receiver, Mark R. Kercher (the "Receiver"), HSE hereby moves this Court for an Order approving its Second Application for Allowance of Compensation and Reimbursement of Expenses, covering the period from June 1, 2024 to June 30, 2024.

In light of the circumstances set forth in the accompanying application, HSE respectfully requests that the Court's consideration and determination of this request be performed as expeditiously as possible and without the need for formal motion practice. But should motion practice or an appearance or argument be required, HSE will make itself available at the Court's convenience at a return date set by the Court.

In support of this motion, HSE submits the declaration of John G. Horn, Esq., partner of record for HSE in this case, annexed hereto.

**Dated:** August 7, 2024

Respectfully submitted,

HARTER SECRET & EMERY LLP

By:



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